

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

ANTHONY ADAMS,)	
Plaintiff,)	
)	C.A. No. 21-165 Erie
)	
v.)	District Judge Susan Paradise Baxter
)	Magistrate Judge Richard A. Lanzillo
DEPARTMENT OF CORRECTIONS,)	
Defendants.)	

MEMORANDUM ORDER

Plaintiff Anthony Adams, an inmate formerly incarcerated at the State Correctional Institution at Forest in Marienville, Pennsylvania (“SCI-Forest”)¹ initiated this civil rights action on May 4, 2021, by filing a *pro se* complaint in the United States District Court for the Middle District of Pennsylvania against the Pennsylvania Department of Corrections (“DOC”) and Lauren Faunce (“Faunce”), a licensed practical nurse at SCI-Forest. The matter was subsequently transferred to this Court on June 25, 2021, and was referred to United States Magistrate Judge Richard A. Lanzillo for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

On April 1, 2022, Judge Lanzillo issued a Report and Recommendation (“R&R”) to dismiss Plaintiff’s claims against Defendant DOC as frivolous based on Eleventh Amendment immunity [ECF No. 12], and, on April 25, 2022, this Court issued a Memorandum Order adopting the R&R and dismissing Plaintiff’s claims against the DOC [ECF No. 16].

¹
Plaintiff is presently incarcerated at the State Correctional Institution at Houtzdale, Pennsylvania.

On November 10, 2022, Defendant Faunce filed a motion to dismiss Plaintiff's remaining claims against her [ECF No. 28]. Four days later, Judge Lanzillo issued an Order directing Plaintiff to file a response to the motion to dismiss on or before December 14, 2022; however, the Order was returned to the Court as undeliverable. The Court subsequently learned that Plaintiff was released from incarceration on October 12, 2022; nonetheless, Plaintiff failed to notify the Court of a change of address. Moreover, Plaintiff never filed a response to Defendant Faunce's motion to dismiss, nor did he take any further action to prosecute this action.

As a result of the foregoing, Judge Lanzillo issued a Report and Recommendation ("R&R") on May 3, 2023, to dismiss this action for Plaintiff's failure to prosecute. No objections to this R&R have been filed.

Thus, after *de novo* review of the complaint and documents in this case, together with the report and recommendation, the following order is entered:

AND NOW, this 31st day of May, 2023;

IT IS HEREBY ORDERED that this case is DISMISSED for Plaintiff's failure to prosecute, and Defendant Faunce's motion to dismiss [ECF No. 28] is DISMISSED as moot. The report and recommendation of Magistrate Judge Lanzillo, issued May 3, 2023 [ECF No. 31], is adopted as the opinion of the court.

The Clerk is directed to mark this case CLOSED.



SUSAN PARADISE BAXTER
United States District Judge

cc: The Honorable Richard A. Lanzillo
U.S. Magistrate Judge

all parties of record